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Charles Lu, and Nathan McCarty

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

TEMUJIN LABS INC., a Delaware
corporation, and TEMUJIN LABS INC., a
Cayman Islands corporation,

Plaintiffs,

v.

TRANSLUCENCE RESEARCH, INC., a
Delaware corporation, BENJAMIN
FISCH, CHARLES LU, BENEDIKT
BÜNZ, NATHAN MCCARTY,
FERNANDO KRELL, PHILIPPE
CAMACHO CORTINA, BINYI CHEN,
AND LUOYUAN (ALEX) XIONG, and
DOES 1-20, inclusive,

Defendants.

CASE NO.: 4:21-cv-09152-JST

**STIPULATION AND JOINT REQUEST TO
CONTINUE CASE MANAGEMENT
CONFERENCE AND RELATED
DEADLINES; [PROPOSED] ORDER**

Courtroom: Courtroom 6, 2nd Floor
Judge: Hon. Jon S. Tigar

Complaint Filed: November 24, 2021

Pursuant to Fed. R. Civ. P. 16 & 26(f) and Civil Local Rules 6-1, 6-2, 16-2, 16-9 and 16-10, Plaintiffs Temujin Labs Inc., a Delaware corporation (“Temujin Delaware”) and Temujin Labs Inc., a Cayman Islands corporation (“Temujin Cayman”) (collectively, “Plaintiffs”) and Defendants Translucence Research, Inc., Benjamin Fisch, Charles Lu, and Nathan McCarty (collectively, “Defendants”), by and through their respective counsel, stipulate and request as follows:

RECITALS

Plaintiffs commenced this action on November 24, 2021.

On November 26, 2021, the Court issued an Order Setting Initial Case Management Conference and ADR Deadlines [Dkt. 6].

On December 21, 2021, Plaintiffs filed a Declination to Magistrate Judge Jurisdiction [Dkt. 8].

On December 23, 2021, the Court issued an Order Reassigning Case [Dkt. 10].

On December 27, 2021, the Court issued Clerk’s Notice Setting Case Management Conference [Dkt. 11] setting a Case Management Conference for March 29, 2022 at 2:00 p.m., and ordering that that a joint case management conference statement be filed March 22, 2022 by 5:00 p.m.

Plaintiffs assert that Defendants Translucence Research, Inc., Benjamin Fisch, Charles Lu, and Nathan McCarty have all been served with the summons and complaint. Plaintiff has yet to serve Benedikt Bünz, Fernando Krell, Philippe Camacho Cortina, Binyi Chen, and Louyuan (Alex) Xiong.

On February 10, 2022, Defendants Translucence Research, Inc., Benjamin Fisch, and Nathan McCarty moved for an order requesting that the Court issue an order setting a single response date of March 18, 2022 for those three defendants [Dkt. 13].

On February 15, 2022, the Court granted the February 10 motion made by Defendants Translucence Research, Inc., Benjamin Fisch, and Nathan McCarty [Dkt. 15].

On February 17, 2022, Plaintiffs moved for an enlargement of time to serve Defendants Benedikt Bünz and Binyi Chen [Dkt. 17], who Plaintiffs believe reside within the United States.

1 On February 28, 2022, the Court granted Plaintiffs' motion for enlargement of time to
2 serve Benedikt Bünz and Binyi Chen [Dkt. 18].

3 On March 9, 2022, the Court issued an order stating that the parties have yet to file an
4 ADR Certification as required by the Initial Case Management Scheduling Order, that Counsel
5 shall comply promptly with the requirements of ADR L.R. 3-5(b), and shall file the ADR
6 Certification [Dkt. 19].

7 Due to the current case status – namely that Defendants have not responded to the
8 Complaint yet and other defendants have not yet been served – the Plaintiffs and Defendants
9 (collectively, the “Parties”) have not yet met and conferred regarding initial disclosures, early
10 settlement, ADR process selection, or a discovery plan. Therefore, the Parties have agreed (1) to
11 continue the Case Management Conference from March 29, 2022 at 2:00 p.m. to June 14, 2022 at
12 2:00 p.m., (2) that the joint case management conference statement would be due on June 7, 2022
13 by 5:00 p.m., and (3) that the deadline to hold the Rule 26(f) conference and to meet and confer
14 regarding initial disclosures, early settlement, ADR process selection, and a discovery plan, and
15 to file an ADR Certification would be May 24, 2022. Hansen Decl. ¶ 2.

16 The Parties request that the Court enter an order confirming the terms of the stipulation
17 between the Parties. The Parties assert that the instant request is made in accordance with Civil
18 L.R. 6-1(b), 6-2(a), 16-2(d) and 7-12. Counsel for the Parties believe that a continuance of the
19 Initial Case Management Conference, and a continuance of the other deadlines addressed above is
20 an efficient use of judicial and party resources. Hansen Decl. ¶ 3.

21 Pursuant to Civil L.R. 6-2(a)(2), there have been no previous time modifications in the
22 case (except as described herein).

23 Further, pursuant to Civil L.R. 6-2(a)(3), Plaintiffs and Defendants do not believe the
24 requested time modification would have a prejudicial effect on the schedule for the case. Trial
25 has not been set in the case, and no discovery has been served in this action. There has not yet
26 been a Case Management Conference. Hansen Decl. ¶ 4.

STIPULATION

The Parties therefore stipulate as follows:

1. The March 29, 2022 Case Management Conference shall be continued to June 14, 2022 at 2:00 p.m.; the joint case management conference statement shall be due on June 7, 2022 by 5:00 p.m.

2. The Parties shall hold the Rule 26(f) conference and meet and confer regarding initial disclosures, early settlement, ADR process selection, and discovery plan, and file an ADR Certification by May 24, 2022.

DATED: March 14, 2022

HANSEN LAW FIRM, P.C.

By: /s/ Craig A. Hansen
Craig A. Hansen

DATED: March 14, 2022

PAUL HASTINGS LLP

By: /s/ Edward Han
Edward Han

[PROPOSED] ORDER

Pursuant to the above stipulation, and good cause appearing, IT IS SO ORDERED.

DATED: _____

Hon. Jon S. Tigar
United States District Judge

ATTESTATION

I hereby attest that I obtained consent in the filing of this document from each of the other signatories on this e-filed document.

DATED: March 14, 2022

HANSEN LAW FIRM, P.C.

By: /s/ Craig A. Hansen
Craig A. Hansen